IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 10TH JANUARY 2007 / 20TH PAUSHA 1928

Crl.MC.No. 23 of 2007()

CC.764/2003 of CHIEF JUDL.MAGISTRATE, ERNAKULAM
CRIME NO.354/03 OF THE CENTRAL POLICE STATION, ERNAKULAM.

.....

PETITIONER: ACCUSED NO.1 & 5

---

1. N.S.RAVIKUMAR, S/O.N.BABU RAO,
H.NO.955, MIGBHEL, RAMACHANDRAPURAM,
HYDRABAD.

2. REMYA, AGED 27 YEARS,
D/O.P.SATHYA NARAYANA, D/O.703,
7TH FLOOR, SWAPNALOGA COMPLEX, OPPOSITE
PARADISE SHOPPING COMPLEX, SECUNDRABHAD.

BY ADV. SRI.P.M.ZIRAJ

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HONOURABLE HIGH COURT OF
KERALA, REPRESENTED BY SUB INSPECTOR OF
POLICE, ERNAKULAM, CENTRAL POLICE STATION,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.K.A. AKBAR.

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 10/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

CRL.M.C.NO. 23 OF 2007

Dated this the 10th day of January, 2007

ORDER

The grievance of the petitioners, who are accused 1 and 5 in a prosecution initiated against them as early as in 2003, is that the case against them is not being disposed of expeditiously. The 2nd petitioner has secured employment abroad and, in these circumstances, it is prayed that the case against the petitioners may be directed to be disposed of expeditiously.

2. Report of the learned Magistrate was called for. The report shows that accused 2 to 4 have not entered appearance and that is why the prosecution against the petitioners is not making any headway. The case was initiated as early as in 2003 and, in these circumstances, the non- appearance of accused 2 to 4 cannot be a valid excuse to deny the right of the petitioners for speedy trial. I have perused the report of the learned Magistrate. The learned Magistrate has undertaken to dispose of the case as expeditiously as possible

– at any rate, within a period of three months from the date of framing of charge.

3. I am satisfied that directions in favour of the petitioners deserve to be issued.

4. In the result:

(a) This Crl.M.C. is allowed.

(b) The learned Magistrate is directed to dispose of the case against the petitioners after taking the necessary steps, as expeditiously as possible – at any rate, within a period of three months from the date on which a copy of this order is placed before the learned Magistrate.

(c) If the 2nd petitioner wants to leave the jurisdiction of the learned Magistrate, it shall be open to her to apply and seek appropriate orders.

Sd/-

(R. BASANT, JUDGE)

Nan/

//true copy//

P.S. to Judge